

1 HEATHER E. WILLIAMS, SBN 122664
Federal Defender
2 HOOTAN BAIGMOHAMMADI, SBN 279105
Assistant Federal Defender
3 Designated Counsel for Service
801 I Street, Third Floor
4 Sacramento, CA 95814
T: (916) 498-5700
5 F: (916) 498-5710
6 Attorneys for Defendant
Mr. Garcia
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case No. 2:20-cr-00181-JAM-1
11)
Plaintiff,) **STIPULATION AND ORDER TO CONTINUE**
12) **STATUS CONFERENCE AND EXCLUDE TIME**
vs.)
13) Date: May 21, 2024
MICHAEL GARCIA,) Time: 9:00 a.m.
14) Judge: Hon. John A. Mendez
Defendants.)
15 _____)

16 IT IS HEREBY STIPULATED and agreed by and between United States Attorney
17 Phillip A. Talbert, through Assistant United States Attorney Adrian Kinsella, counsel for
18 Plaintiff; and Federal Defender Heather Williams, through Assistant Federal Defender Hootan
19 Baigmohammadi, counsel for Defendant Michael Garcia that the status hearing currently set for
20 May 21, 2024 at 9:00 be continued to July 23, 2024 at 9:00 a.m.

21 The parties specifically stipulate as follows:

- 22 1. By previous order, this matter was set for a status on May 21, 2024 at 9:00 a.m.
23 2. By stipulation, Mr. Garcia now moves to continue the status conference to **July**
24 **23, 2024, at 9:00 a.m.**
25 3. The government has produced roughly 2,000 pages and various video and audio
26 recordings in discovery.
27 4. Mr. Garcia requires additional time to review the discovery, investigate and
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research possible defenses, research potential pretrial motions, and explore potential resolutions to the case, and otherwise prepare for trial.

5. Mr. Garcia recently proposed a resolution to the case and the government indicated a revised plea offer is forthcoming.

6. Mr. Garcia believes that failure to grant the requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

7. The government does not object to the continuance.

8. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial Act), the parties request that the time period between May 21, 2024 and July 23, 2024, inclusive, be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance granted by the Court at the defense's request, based on a finding that the ends of justice served by granting the continuance outweighs the best interest of the public and Mr. Garcia, in a speedy trial.

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: May 15, 2024

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Mr. Garcia

Date: May 15, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Adrian Kinsella
Adrian Kinsella
Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, **ADOPTS** the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: May 15, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE